

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director / (797-1101)
Prepared by: Bradley Swing, AICP, Planner II

SUBJECT: ZB(TXT) 1-1-03/Ordinance to amend the Land Development Code relating to Billboards

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE VIII, SECTION 12-238(J)(9) THEREOF RELATING TO BILLBOARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The ordinance before Town Council this evening is based on the need to provide for one (1) additional billboard site in the Town of Davie. The Boys and Girls Club of Broward County, Inc. and Gold Coast Advertising have requested this amendment to the Town of Davie Land Development Code in order to increase the number of billboards allowed in the Town from ten (10) to eleven (11). The revenues generated from this increase will be used to provide additional funding of the operational costs of the Davie Boys and Girls Club.

Gold Coast Advertising has requested a billboard permit on the property located at 15701 SW 41 Street. This facility will provide \$8,000 per year to assist in the long-term funding of the new Rick and Rita Case Boys and Girls Club and the construction of the Admiral's Club next to the McFatter Technical School. Approval of this amendment will allow the Town to process a permit for the proposed billboard site in accordance with Section 12-238(J)(9) of the Land Development Code.

PREVIOUS ACTIONS: None

CONCURRENCES: At the February 12, 2003 Local Planning Agency meeting, the ordinance was denied by a 4-0 vote, with Mr. Bender absent.

FISCAL IMPACT: None

RECOMMENDATION(S): Staff finds the subject text change complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Ordinance

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE VIII, SECTION 12-238(J)(9) THEREOF RELATING TO BILLBOARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the Land Development Code to expand the number of billboards that may be erected within the Town; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on February 12, 2003; and

WHEREAS, the Town Council of the Town of Davie held a public hearing on February 19, 2003; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That Section 12-238(J)(9) of the Town Code is amended to read as follows:

(9) Off-site signs which advertise businesses, establishments, activities, goods, products, facilities or services or other message not made, produced, sold or present on the premises or site where the sign is installed and maintained. Additionally, it shall be unlawful to erect, construct or reconstruct a billboard sign in any area of the Town. A building permit, to be renewed annually, must be obtained for each existing billboard sign location, except that up to ~~ten (10)~~ eleven (11) new billboards may be erected within the Town of Davie, provided that the Town Council has determined that at least a minimum of five (5) percent of the gross revenues from the advertising on said billboards, which under no circumstances shall be less than eight thousand dollars (\$8,000.00) per year per sign, are directed to nonprofit corporations serving the residents of the Town of Davie, which funds will assist in funding such nonprofit corporation projects serving the interest of the citizens of the Town of Davie, subject to the Town Council certifying that any potential site upon which these billboards may be erected and the proposed billboards meet the following requirements:

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2003

PASSED ON SECOND READING THIS ____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003